

--82. (Amended) The information transmitting method as claimed in claim 81, wherein the terminal section decodes the transmitted data related to the key for decrypting the encryption on the basis of the identification information particular to the medium of the duplicate recording medium.

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cancel  
--83. (Amended) The information transmitting method as claimed in claim 80, wherein the host section totals the identification information particular to the medium of the recording medium transmitted from the terminal section and totals a quantity of duplication of each recording medium.

--84. (Amended) The information transmitting method as claimed in claim 83, wherein the host section calculates a distribution rate for distributing at least a part of a fee collected by the accounting to an owner of the recording medium.

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#### REMARKS

Claims 1-61 and 63-85 remain in the application with claims 1-4, 12, 13, 15-19, 27, 28, 31, 35-41, 43, 45, 46, 49, 50, 52, 53, 56-61, 64-74 and 76-84 having been amended hereby and claim 62 having been cancelled, without prejudice or disclaimer.

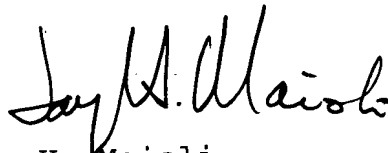
As will be noted from the Declaration, Applicants are citizens and residents of Japan and this application originated there.

Accordingly, the amendments made to the specification are

provided to place the application in idiomatic English, and the claims are amended to place them in better condition for examination.

An early and favorable examination on the merits is earnestly solicited.

Respectfully submitted,  
COOPER & DUNHAM LLP

A handwritten signature in cursive script, reading "Jay H. Maioli".

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VERSION WITH MARKINGS TO SHOW CHANGES MADE  
IN THE ABSTRACT OF THE DISCLOSURE

Please amend the Abstract by rewriting same to read as follows.

A data recording medium [is provided] on which digital data including work data such as a music tune or an image is recorded in a data recording area, and on which identification information enabling identification [proper] particular to the recording medium is recorded in an identification information recording area [while], whereas discrimination information indicating the presence/absence of the identification information is recorded in a lead-in area. The location of the digital data recorded on the recording medium is managed in accordance with the identification information for carrying out identification proper to the recording medium recorded on the recording medium, thus realizing multiple [use] uses of the work data, such as duplication for a plurality of times.

IN THE CLAIMS

Please amend claims 1-4, 12, 13, 15-19, 27, 28, 31, 35-41, 43, 45, 46, 49, 50, 52, 53, 56-61, 64-74 and 76-84 by rewriting same to read as follows and cancel claim 63 without prejudice or disclaimer.

--1. (Amended) A data recording medium having recorded thereon:

digital data including at least work data, and  
having recorded thereon in advance of the work data  
identification information which enables identification [proper] particular to the recording medium and discrimination information indicating the presence/absence of the identification information.

--2. (Amended) The data recording medium as claimed in claim 1, wherein the identification information is recorded in an area on

[the] an inner side of a lead-in area provided on [the] an inner side [than] of a data recording area where the digital data is recorded.

--3. (Amended) The data recording medium as claimed in claim 1, wherein the identification information is recorded in an area on [the] an outer side of a lead-out area provided on [the] an outer side [than] of a data recording area where the digital data is recorded.

--4. (Amended) The data recording medium as claimed in claim 1, wherein the discrimination information is recorded in a lead-in area provided on [the] an inner side [than] of a data recording area where the digital data is recorded.

--12. (Amended) The data recording medium as claimed in claim 1, wherein one of error correction coding [or] and error detection coding of a plurality of code sequences is performed on the identification information, and authentication of the identification information is carried out with at least a code of one sequence.

--13. (Amended) The data recording medium as claimed in claim 1, wherein the digital data is recorded in accordance with a modulation system of one of 8-14 modulation or 8-16 modulation.

--15. (Amended) A data recording medium having recorded thereon in advance:

first digital data including at least work data;

second digital data recorded by a different recording method [from the] than a recording method [of] used to record the first digital data; and

identification information for carrying out identification

[proper] particular to the recording medium.

--16. (Amended) The data recording medium as claimed in claim 15, wherein discrimination indicating whether at least one of the second digital data and the identification information exists [or not] is recorded in advance of the work data.

--17. (Amended) The data recording medium as claimed in claim 15, wherein the identification information is recorded in an area on [the] an inner side of a lead-in area provided on [the] an inner side [than] of a data recording area where the first and/or second digital data is recorded.

--18. (Amended) The data recording medium as claimed in claim 15, wherein the identification information is recorded in an area on [the] an outer side of a lead-out area provided on [the] an outer side [than] of a data recording area where the first and/or second digital data is recorded.

--19. (Amended) The data recording medium as claimed in claim 15, wherein the discrimination information is recorded in a lead-in area provided on [the] an inner side [than] of a data recording area where the first and/or second digital data is recorded.

--27. (Amended) The data recording medium as claimed in claim 15, wherein one of error correction coding [or] and error detection coding of a plurality of code sequences is performed on the identification information, and authentication of the identification information is carried out with at least a code of one sequence.

--28. (Amended) The data recording medium as claimed in claim 15, wherein the first and/or second digital data is recorded in

accordance with a modulation system of one of 8-14 modulation [or] and 8-16 modulation.

--30. (Amended) The data recording medium as claimed in claim 15, wherein the first digital data is recorded by pit edge recording and the second digital data is recorded by changing [the] a shape of pits.

--31. (Amended) The data recording medium as claimed in claim 15, wherein the first digital data is recorded by pit edge recording and the second digital data is recorded by changing [the] a position of pits.

--35. (Amended) A data reproducing method for reproducing a data recording medium on which digital data including at least work data is recorded, the method comprising the steps of:

reading out discrimination information indicating [the] a presence/absence of identification information for carrying out identification [proper] particular to the data recording medium; and

reading out the identification information when it is discriminated by the discrimination information that the identification information exists.

--36. (Amended) A data reproducing method for reproducing a data recording medium on which digital data including at least work data is recorded, the method comprising the steps of:

reading out discrimination information indicating [the] a presence/absence of identification information for carrying out identification proper to the data recording medium; and

controlling the data reproducing method in accordance with [the] a result of discrimination the discrimination information.

--37. (Amended) A data reproducing method for reproducing a data recording medium on which digital data including at least work data is recorded, the method comprising the steps of:

discriminating whether second digital data recorded by a different recording method from a recording method [of] used to record the first digital data is recorded on the data recording medium; and

reading out identification information recorded on the data recording medium when it is discriminated that the second digital data is recorded.

--38. (Amended) A data reproducing device for reproducing a data recording medium on which digital data including at least work data is recorded, the device comprising:

reading means for reading out discrimination information indicating [the] a presence/absence of identification information for carrying out identification [proper] particular to the data recording medium; and

control means for controlling so as to read out the identification information when it is discriminated by the reading means that the identification information exists on the data recording medium.

--39. (Amended) A data reproducing device for reproducing a data recording medium on which digital data including at least work data is recorded, the device comprising:

reading means for reading out discrimination information indicating [the] a presence/absence of identification information for carrying out identification [proper] particular to the data recording medium; and

control means for controlling a data reproducing method in accordance with [the] result of discrimination of the discrimination information read out by the reading means.

--40. (Amended) A data reproducing device for reproducing a data recording medium on which digital data including at least work data is recorded, the device comprising:

discrimination means for discriminating whether second work data recorded by a different recording method [from] than a recording method [of] used to record first work data is recorded on the data recording medium; and

reading means for reading out identification information for carrying out identification [proper] particular to the data recording medium recorded on the data recording medium, when it is discriminated by the discrimination means that the second work data is recorded on the data recording medium.

--41. (Amended) A data outputting method for reproducing and outputting digital data including at least work data recorded on a data recording medium and identification information for carrying out identification [proper] particular to the data recording medium recorded on the data recording medium, the method comprising the [step] steps of:

data-converting the reproduced digital data using the identification information, and

outputting the resultant converted data.

--43. (Amended) A data outputting device for reproducing and outputting digital data including at least work data recorded on a data recording medium and identification information for carrying out identification [proper] particular to the data recording medium recorded on the data recording medium, the device comprising:

data conversion means for data-converting the reproduced digital data using the identification information, and  
means for outputting the resultant converted data.

--45. (Amended) A data processing system comprising:



a data recording medium having recorded thereon digital data including at least work data and having recorded thereon in advance of the work data identification information which enables identification [proper] particular to the recording medium;

information providing means for providing a duplicate recording medium obtained by duplicating at least the digital data recorded on the data recording medium and then adding information provider identification information to the duplicated digital data;

reproducing means for reproducing the digital data having the information provider identification information added thereto, recorded on the duplicate recording medium; and

work data managing means to which the information provider identification information generated by the information providing means and the information provider identification information recorded on the duplicate recording medium and reproduced by the reproducing means are transmitted.

--46. (Amended) The data processing system as claimed in claim 45, wherein the work data managing means carries out accounting to the reproducing means, and collates the information provider identification information transmitted from the information providing means and the information provider identification information transmitted from the reproducing means and then totals the [coincident] collated information provider identification information.

--49. (Amended) The data processing system as claimed in claim 48, wherein the work data managing means provides compensation to the information providing means in accordance with [the] a quantity of coincidence between the information provider identification information transmitted from the information providing means and the information provider identification information transmitted from the reproducing means.

--50. (Amended) The data processing system as claimed in claim 49, wherein the compensation is a part of [the] a fee charged to the reproducing means.

--52. (Amended) A data processing system comprising:  
information providing means for providing information [which is] obtained by duplicating at least digital recorded on a data recording medium having recorded thereon the digital data including at least work data and having recorded thereon in advance of the work data identification information enabling identification [proper] particular to the recording medium and discrimination information indicating [the] a presence/absence of the identification information, and then by adding information provider identification information to the duplicated digital data:

access means for accessing the information providing means to download at least the digital data duplicated from the data recording medium, having the information provider identification information added thereto and recorded in the information providing means; and

work data managing means to which the information provider identification information generated by the information providing means and the information provider identification information downloaded by the access means are transmitted.

--53. (Amended) The data processing system as claimed in claim 52, wherein the work data managing means carries out accounting to the reproducing means, and collates the information provider identification information transmitted from the information providing means and the information provider identification information transmitted from the access means and then totals the [coincident] collated information provider identification information.

--56. (Amended) The data processing system as claimed in claim 55, wherein the work data managing means provides compensation to the information providing means in accordance with the quantity of [coincidence] collation between the information provider identification information transmitted from the information providing means and the information provider identification information transmitted from the access means.

--57. (Amended) The data processing system as claimed in claim 55, wherein the compensation is a part of [the] a fee charged to the access means.

--58. (Amended) The data processing system as claimed in claim 52, wherein discrimination information indicating [the] a presence/absence of the identification information is further recorded on the data recording medium.

--59. (Amended) An information providing method for duplicating at least digital data recorded on a data recording medium having recorded thereon the digital data including at least work data and having recorded thereon in advance of the work data identification information enabling identification [proper] particular to the recording medium, and providing [the] duplicated digital data, the method comprising the step of  
providing information obtained by adding information provider identification information to the duplicated digital data.

--60. (Amended) The information providing method as claimed in claim 59, wherein discrimination information indicating [the] a presence/absence of the identification information is further recorded on the data recording medium.

--61. (Amended) An information transmitting device comprising:

at least one terminal section for reproducing a recording medium having recorded thereon first digital data related to a work and second digital data including identification information proper to the medium and address data indicating a homepage address; and

at least one server section connected to the terminal section via a communication channel and designated by the address data[;]

wherein the server section identifies the identification information of the recording medium supplied from at least the terminal section via the communication channel, and permits downloading of the digital data related to the work to the terminal section when the result of identification indicates that the terminal section is a [normal] predetermined kind of terminal section.

--64. (Amended) The information transmitting device as claimed in claim 61, wherein the server section prohibits the terminal section from accessing the server section when [the] a result of identification indicates that the terminal section is not a [normal] predetermined kind of terminal section.

--65. (Amended) The information transmitting device as claimed in claim 61, wherein the server section urges the terminal section to carry out an accounting when [the] a result of identification indicates that the terminal section is a [normal] predetermined kind of terminal section.

--66. (Amended) The information transmitting device as claimed in claim 65, wherein the server section transmits data related to a key for decrypting [the] an encryption of the first digital data to the terminal section when the accounting is carried out by the terminal section.

--67. (Amended) The information transmitting device as claimed

in claim 66, wherein the terminal section decodes the transmitted data related to a key for decrypting the encryption on the basis of the identification information [proper] particular kind of to the medium.

--68. (Amended) An information transmitting method comprising the steps of:

transmitting identification information of a recording medium from at least one terminal section for reproducing the recording medium having recorded thereon first digital data related to a work and second digital data including at least identification information [proper] particular to the medium and address data indicating a homepage address, to a server section via a communication channel;

identifying the transmitted identification information by the server section; and

permitting, by the server section, downloading of the digital data related to the work to the terminal section when [the] a result of identification indicates that the terminal section is a [normal] predetermined kind of terminal section.

--69. (Amended) The information transmitting method as claimed in claim 68, wherein the server section transmits to the terminal section a transmission request for transmitting at least a part of the second digital data, after the result of identification of the identification information indicates that the terminal section is a [normal] predetermined kind of terminal section.

--70. (Amended) The information transmitting method as claimed in claim 69, wherein the server section at least causes the terminal section to carry out an alarm display when no response is returned from the terminal section with respect to the transmission request for transmitting a part of the second digital data.

--71. (Amended) The information transmitting method as claimed in claim 68, wherein the server section prohibits the terminal section from accessing the server section when the result of identification indicates that the terminal section is not a [normal] predetermined kind of terminal section.

--72. (Amended) The information transmitting method as claimed in claim 68, wherein the server section urges the terminal section to carry out accounting when the result of identification indicates that the terminal section is a [normal] predetermined kind of terminal section.

--73. (Amended) The information transmitting method as claimed in claim 72, wherein the server section transmits data related to a key for decrypting [the] an encryption of the first digital data to the terminal section when accounting is carried out by the terminal section.

--74. (Amended) The information transmitting method as claimed in claim 73, wherein the terminal section decodes the transmitted data related to a key for decrypting the encryption on the basis of the identification information [proper] particular to the medium.

--76. (Amended) The information transmitting method as claimed in claim 75, wherein the terminal section reproduces the first digital data of the duplicate recording medium on the basis of the transmitted data related to [a] the key.

--77. (Amended) The information transmitting method as claimed in claim 76, wherein the terminal section decodes the transmitted data related to [a] the key for decrypting the encryption on the basis of the identification information [proper] particular to the medium of the duplicate recording medium.

--78. (Amended) The information transmitting method as claimed in claim 75, wherein the host section totals the identification information [proper] particular to the medium of the recording medium transmitted from the terminal section and totals [the] a quantity of duplication of each recording medium.

--79. (Amended) The information transmitting method as claimed in claim 78, wherein the host section calculates a distribution rate for distributing at least a part of [the] a fee collected by the accounting to an owner of the recording medium.

--80. (Amended) An information transmitting method comprising the steps of:

    downloading first digital data together with second digital data by at least one terminal section and duplicating the first digital data, the first digital data being duplicated from a recording medium having recorded thereon at least the [one] first digital data related to an encrypted work and the second digital data including data identification information of at least the first digital data and identification information [proper] particular to the medium, the first digital data being laid open to the public so that the first digital data can be downloaded together with the second digital data to [other] users via a communication channel;

    transmitting the downloaded identification information of the recording medium together with the duplicated first digital data from the terminal section to [the] a host section via the communication channel;

    authenticating the transmitted identification information by the host section;

    requesting the terminal section for an accounting; and

    transmitting data related to a key for decrypting the encryption of the first digital data to the terminal section when

the accounting is carried out.

--81. (Amended) The information transmitting method as claimed in claim 80, wherein the terminal section reproduces the first digital data of the duplicate recording medium on the basis of the transmitted data related to [a] the key.

--82. (Amended) The information transmitting method as claimed in claim 81, wherein the terminal section decodes the transmitted data related to [a] the key for decrypting the encryption on the basis of the identification information [proper] particular to the medium of the duplicate recording medium.

--83. (Amended) The information transmitting method as claimed in claim 80, wherein the host section totals the identification information [proper] particular to the medium of the recording medium transmitted from the terminal section and totals [the] a quantity of duplication of each recording medium.

--84. (Amended) The information transmitting method as claimed in claim 83, wherein the host section calculates a distribution rate for distributing at least a part of [the] a fee collected by the accounting to an owner of the recording medium.